

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS**

In re: \_\_\_\_\_ ) Chapter  
\_\_\_\_\_)   
\_\_\_\_\_) No.  
\_\_\_\_\_)   
Debtor(s) \_\_\_\_\_) Judge

**NOTICE OF MOTION**

TO: See attached list

PLEASE TAKE NOTICE that on \_\_\_\_\_, at \_\_\_\_\_, I will appear before the Honorable \_\_\_\_\_, or any judge sitting in that judge's place, **either** in courtroom \_\_\_\_\_ of the \_\_\_\_\_, **or** electronically as described below, and present the motion of \_\_\_\_\_ [to/for] \_\_\_\_\_, a copy of which is attached.

**All parties in interest, including the movant, may appear for the presentment of the motion either in person or electronically using Zoom for Government.**

You may appear electronically by video or by telephone.

**To appear by video**, use this link: <https://www.zoomgov.com/>. Then enter the meeting ID and passcode.

**To appear by telephone**, call Zoom for Government at 1-669-254-5252 or 1-646-828-7666. Then enter the meeting ID and passcode.

**Meeting ID and passcode.** The meeting ID for this hearing is \_\_\_\_\_, and the passcode is \_\_\_\_\_. The meeting ID and passcode can also be found on the judge's page on the court's web site.

**If you object to this motion** and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, the motion will be called on the presentment date. If no Notice of Objection is timely filed, the court may grant the motion in advance without calling it.

By: \_\_\_\_\_

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CERTIFICATE OF SERVICE

I, \_\_\_\_\_, certify [if an attorney]/declare under penalty of perjury under the laws of the United States of America [if a non-attorney] that I served a copy of this notice and the attached motion on each entity shown on the attached list at the address shown and by the method indicated on the list on \_\_\_\_\_, at \_\_\_\_\_.

\_\_\_\_\_  
[Signature]

**ATTACHMENT "SERVICE LIST"**

Monica C O'Brien  
Gregory K. Stern, P.C.  
53 West Jackson Boulevard, Suite 1442  
Chicago, IL 60604  
monica@gregstern.com  
Attorney for Debtor  
via electronic notification

Patrick S Layng  
Office of the U.S. Trustee, Region 11  
219 S Dearborn St  
Room 873  
Chicago, IL 60604  
USTPRegion11.ES.ECF@usdoj.gov  
U.S Trustee  
via electronic notification

IYS Ventures, LLC  
15416 South 70th Court  
Orland Park, IL 60462  
Debtor  
via US Mail

Muwafak Rizek  
7924 Keystone Road  
Orland Park, IL 60462-5166  
Co- Debtor  
via US Mail

**SERVED BY UNITED STATES MAIL:**

Aramark Uniform  
Services  
2334 South Michigan  
Avenue  
Chicago, IL 60616

BMW Financial  
Services  
Customer Service  
Center  
PO Box 3608  
Dublin, OH  
43016-0306

Byzfunder NY LLC  
530 7th Avenue  
Suite 505  
New York, NY 10018

Coca-Cola Bottling  
Company  
PO Box 105637  
Atlanta, GA 30348

EBY Brown Company LLC  
1415 West Diehl  
Road  
Naperville, IL 60563

Fox Capital Group, Inc.  
1407 Broadway  
40th Floor  
New York, NY 10018

Frito-Lay, Inc.  
7700 Bulldog Drive  
Summit Argo, IL 60501

Itria Ventures  
1 Penn Plaza  
Suite 3101  
New York, NY 10119

Manistique Oil  
Company  
216 Deer Street  
Manistique, MI 49854

Patriot Capital  
Corporation  
3565 Piedmont Road  
NE Building 1  
Suite 430  
Atlanta, GA 30305

Pepsi Beverages Co.  
2541 West 20th  
Avenue  
Oshkosh, WI 54904

Red Bull Distribution  
Company  
PO Box 204750  
Dallas, TX 75320

Samson Funding  
17 State Street  
Suite 630  
New York, NY 10004

The Huntington  
National Bank  
17 South High Street  
Columbus, OH 43215

U.S. Small Business  
Administration  
409 3rd Street SW  
Washington, DC  
20416

Wisconsin  
Department of  
Revenue  
2135 Rimrock Road  
Madison, WI 53713

Xcel Energy  
PO Box 9477  
Minneapolis, MN  
55484-9477

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

IN RE:	)	In Proceedings
	)	Under Chapter 11
IYS Ventures, LLC	)	
Debtor	)	Case No. 23-06782
	)	Honorable Judge David D. Cleary

**MOTION FOR RELIEF FROM STAY OR IN THE ALTERNATIVE**

**MOTION FOR ADEQUATE PROTECTION**

NOW COMES Ally Bank, by and through its undersigned attorney, and as for its Motion for Relief from Stay or in the alternative Motion for Adequate Protection, states as follows:

1. Ally Bank is a Creditor of the Debtor and is seeking relief pursuant to 11 U.S.C. § 362.
2. On August 13, 2022, Debtor IYS Ventures, LLC and Co- Debtor Muwafak Rizek executed a Retail Installment Contract for an interest in one, 2022 Nissan Altima Sedan 4D SR 2.5L I4, VIN 1N4BL4CV8NN412200 ("Contract"). A true and correct copy of the Contract is attached hereto as Exhibit "A".
3. Ally Bank has a properly perfected interest in the Collateral, and said lien was noted upon the Certificate of Title in connection with the aforesaid motor vehicle. A true and correct copy of the Certificate of Title is attached hereto as Exhibit "B".
4. On May 23, 2023, the Debtor filed a voluntary petition under Chapter 11 of Title 11 of the United States Bankruptcy Code.
5. As of September 1, 2023, the total debt owed to Ally Bank was \$30,990.30. Ally Bank alleges the value of said motor vehicle is approximately \$25,125.00 pursuant to a N.A.D.A. Valuation attached hereto as Exhibit "C".
6. Cause to lift the stay exists because the Debtor is in default. Debtor has not made sufficient payment towards adequate protection prior to confirmation. The total post-petition arrears are in the amount of \$1,779.84. The last payment was received on May 4, 2023. A copy of the payment history is attached as Exhibit "D".

7. This motor vehicle is not necessary for the Debtor's effective reorganization.
8. Ally Bank's collateral is a rapidly depreciating asset.
9. Ally Bank's collateral is rapidly depreciating, and therefore should be allowed to immediately enforce and implement any Order Modifying the Automatic Stay that this Honorable Court may enter, notwithstanding Federal Bankruptcy Rule 400l(a)(3).

WHEREFORE, Ally Bank prays this Honorable Court for the entry of an order modifying the automatic stay pursuant to 11 U.S.C. § 362 and so as to allow Ally Bank to take possession of one 2022 Nissan Altima Sedan 4D SR 2.5L I4, VIN 1N4BL4CV8NN412200. In the event that the Court fails to terminate the automatic stay, Movant asks the Court to enter an order adequately protecting Movant's interest in the Collateral; and to enforce its rights against the security in accordance with the agreement and/or applicable state laws and to find that Federal Rule 400l(a)(3) of the Federal Rules of Bankruptcy Procedure is waived and thus Ally Bank may immediately enforce and implement the Order Modifying the Automatic Stay and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

/s/ James M. Philbrick

James M. Philbrick

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